

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
905 MOTHER GASTON LLC,

Plaintiff,

-against-

ARIHAY KAIKOV (A/K/A ARKADY KAIKOV),
AND MOTHER GASTON 905 CORP,

Defendants.
-----X

SUMMONS

Index No. 2163-18
Date Filed: 8-28-18

The basis of venue is the location of
real property which is the subject of
action located at:
905 Mother Gaston Blvd
Brooklyn, New York 11212

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the verified complaint in this
action and to serve a copy of your answer on the Plaintiff's attorneys within 20 days after
the service of this summons, exclusive of the day of service of this summons, or within
30 days after service of this summons is complete if this summons is not personally
delivered to you within the State of New York.

In case of your failure to answer this summons, a judgment by default will be
taken against you for relief demanded in the complaint, together with the costs of this
action.

Dated: Brooklyn, New York
August 10, 2018

CHERNY & PODOLSKY
Attorneys for Plaintiff
1723 East 12th Street, 4th Floor
Brooklyn, NY 11229
(718) 449-5100

EXHIBIT 11

RECEIVED
KINGS COUNTY CLERK
2018 AUG 28 AM 10:45

RECEIVED

AUG 28 2018

KINGS COUNTY CLERK'S OFFICE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

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905 MOTHER GASTON LLC,

-Plaintiff-

-against-

ARIHAY KAIKOV (A/K/A/ ARKADY KAIKOV),
And MOTHER GASTON 905 CORP,

Defendants.
-----X

NOTICE OF PENDENCY

Index No. 2163/18

Date Filed: 8/28/18

NOTICE IS HEREBY GIVEN that an action has been commenced and is now pending in this Court upon the complaint of the above-named plaintiff, 905 MOTHER GASTON, LLC, against the above-named defendants, ARIHAI KAIKOV (A/K/A ARKADY KAIKOV) and MOTHER GASTON 905 CORP, for a judgment (1) finding 905 MOTHER GASTON LLC a sole and rightful fee owner of the property located at 905 Mother Gaston Boulevard, Brooklyn, NY; (2) impressing a lien as of the date of the commencement of this action upon said premises to assure the performance of the acts and things directed or required by the Court to be done by the defendants; and that the real property affected thereby is real property, which, at the commencement of this action, and at the time of filing of this notice is situated in the City of Brooklyn, County of Kings, State of New York, and is more particularly described in a deed from The City of New York, to 905 MOTHER GASTON LLC, dated July 19th, 2018, recorded in the Kings County Clerk's Office, on August 08, 2018, as follows:

BLOCK: 3868

CRFN: 2018000265253

LOT: 16

The real property affected by this action which is the subject of the above mentioned deed, is more particularly described as follows:

SCHEDULE "A" IS ATTACHED

TO THE CLERK OF THE COUNTY OF KINGS:

You are hereby directed to index and file this Notice of Pendency against the block and lot numbers described, and against the designated names appearing below:

ARIHAY KAIKOV (A/K/A/ ARKADY KAIKOV AND MOTHER GASTON 905 CORP.

Dated: Brooklyn, New York
August 27, 2018



CHERNY & PODOLSKY
Attorneys for Plaintiff
1723 East 12th Street, 4th Floor
Brooklyn, NY 11229
(718) 449-5100

TO: Arihay Kaikov
204 Centre Island Road
Oyster Bay, NY 11771

Mother Gaston 905 Corp
C/O Secretary of State

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Mother Gaston Blvd. (formerly Stone Avenue), distant 210 feet southerly from the southeasterly corner of Mother Gaston Blvd and Hegeman Avenue;

RUNNING THENCE easterly parallel with Hegeman Avenue, 100 feet;

THENCE southerly parallel with Mother Gaston Blvd, 25 feet;

THENCE westerly and again parallel parallel with Hegeman Avenue and part of the distance through a party wall, 100 feet to the easterly side of Mother Gaston Blvd;

THENCE northerly along the easterly side of Mother Gaston Blvd., 25 feet to the point or place of BEGINNING.

Said Premises being known as 905 Mother Gaston Boulevard, Brooklyn. New York 11212.

Block: 3868

Lot: 16

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
905 MOTHER GASTON LLC,

-Plaintiff-

-against-

ARIHAY KAIKOV (A/K/A/ ARKADY KAIKOV),
And MOTHER GASTON 905 CORP,

Defendants.
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NOTICE OF PENDENCY

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Date Filed: _____

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BLOCK: 3868

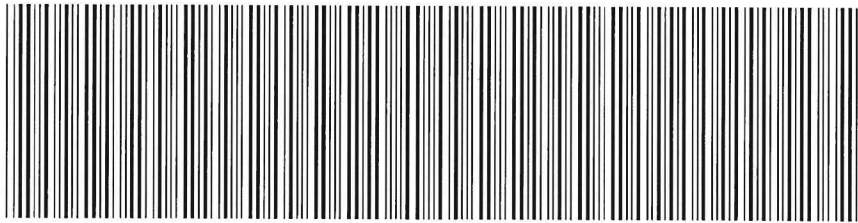
CRFN: 2018000265253

LOT: 16

The real property affected by this action which is the subject of the above mentioned deed, is more particularly described as follows:

SCHEDULE "A" IS ATTACHED

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2018080900369001002S291F

SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2018080900369001
Document Type: CORRECTION DEED

Document Date: 08-01-2018

Preparation Date: 08-14-2018

ASSOCIATED TAX FORM ID: 2018080100281

SUPPORTING DOCUMENTS SUBMITTED:

RP - 5217 REAL PROPERTY TRANSFER REPORT

Page Count
2



The City of New York
Department of Environmental Protection
Bureau of Customer Services
59-17 Junction Boulevard
Flushing, NY 11373-5108

Customer Registration Form for Water and Sewer Billing

Property and Owner Information:

- (1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 3868 LOT: 16
- (2) Property Address: 905 MOTHER GASTON BLVD, BROOKLYN, NY 11212
- (3) Owner's Name: 911 REALTY CORP
- Additional Name:

Affirmation:



Your water & sewer bills will be sent to the property address shown above.

Customer Billing Information:

Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit www.nyc.gov/dep to provide us with the other party's information.

Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature:

8/1/18 Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable:

by: Khanan Kaikov, President

STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES

PROPERTY INFORMATION

LAST NAME / COMPANY	FIRST NAME
---------------------	------------

STREET NUMBER AND STREET NAME CITY OR TOWN STATE ZIP CODE

4A. Planning Board Approval - N/A for NYC
4B. Agricultural District Notice - N/A for NYC

Check the boxes below as they apply:

6. Ownership Type is Condominium

7. New Construction on Vacant Land

LAST NAME / COMPANY	FIRST NAME
---------------------	------------

9. Check the box below which most accurately describes the use of the property at the time of sale:

A	<input type="checkbox"/>	One Family Residential	C	<input type="checkbox"/>	Residential Vacant Land	E	<input type="checkbox"/>	Commercial	G	<input type="checkbox"/>	Entertainment / Amusement	I	<input type="checkbox"/>	Industrial
B	<input type="checkbox"/>	2 or 3 Family Residential	D	<input type="checkbox"/>	Non-Residential Vacant Land	F	<input checked="" type="checkbox"/>	Apartment	H	<input type="checkbox"/>	Community Service	J	<input type="checkbox"/>	Public Service

10. Sale Contract Date 8 / 1 / 2018
Month / Day / Year

11. Date of Sale / Transfer 8 / 1 / 2018
Month / Day / Year

12. Full Sale Price \$

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

13. Indicate the value of personal property included in the sale

14. Check one or more of these conditions as applicable to transfer:

A	<input type="checkbox"/>	Sale Between Relatives or Former Relatives
B	<input type="checkbox"/>	Sale Between Related Companies or Partners in Business
C	<input type="checkbox"/>	One of the Buyers is also a Seller
D	<input type="checkbox"/>	Buyer or Seller is Government Agency or Lending Institution
E	<input type="checkbox"/>	Deed Type <u>None</u> Warranty or Bargain and Sale (Specify Below)
F	<input type="checkbox"/>	Sale of Fractional or Less than Fee Interest (Specify Below)
G	<input type="checkbox"/>	Significant Change in Property Between Taxable Status and Sale Dates
H	<input type="checkbox"/>	Sale of Business is Included in Sale Price
I	<input type="checkbox"/>	Other Unusual Factors Affecting Sale Price (Specify Below)
J	<input checked="" type="checkbox"/>	None

15. Building Class C 3

16. Total Assessed Value (of all parcels in transfer) 5 4 5 4 0

17. Borough, Block and Lot / Roll Identifier(s) (If more than three, attach sheet with additional identifier(s))

BROOKLYN 3868 16

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER

8/1/18

BUYER'S ATTORNEY

BUYER SIGNATURE

204 CENTRE ISLAND

DATE

LAST NAME

FIRST NAME

STREET NUMBER

STREET NAME (AFTER SALE)

AREA CODE

TELEPHONE NUMBER

OYSTER BAY

NY

11771

SELLER

8/1/18

CITY OR TOWN

STATE

ZIP CODE

SELLER SIGNATURE

DATE

2018080100281201

**AFFIDAVIT OF COMPLIANCE
WITH SMOKE DETECTOR REQUIREMENT
FOR ONE- AND TWO-FAMILY DWELLINGS**

State of New York }
County of Queens SS.:

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at
905 MOTHER GASTON BLVD

Street Address Unit/Apt.

BROOKLYN
Borough

New York,

3868
Block

16
Lot (the "Premises");

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

911 Realty Corp
Name of Grantor (Type or Print)

Signature of Grantor

by: Khanan Kaikov, President

Sworn to before me

this 1st day of August 20 18

Kellie Grant

KELLEE GRANT
Notary Public, State of New York
No. 01GR6300636
Qualified in Queens County
Commission Expires 04/07/2022

911 Realty Corp
Name of Grantee (Type or Print)

Signature of Grantee

by: Khanan Kaikov, President

Sworn to before me

this 1st day of August 20 18

Kellie Grant

KELLEE GRANT
Notary Public, State of New York
No. 01GR6300636
Qualified in Queens County
Commission Expires 04/07/2022

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.

2018080100281101

**STATE OF NEW YORK COUNTY OF KINGS ss.:
VERIFICATION**

I, 911 REALTY GROUP, being duly sworn deposes and says that: I am the Plaintiff in the within action; I have read the foregoing and I know the contents thereof: the contents of the foregoing are is true to my own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.


_____ **KHANAN KAIKOV**

**Sworn to before me on the 10th day
of August, 2018**

Notary Public

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
905 MOTHER GASTON LLC,

Plaintiff,

VERIFIED COMPLAINT

-against-

Index No.

ARIHAY KAIKOV (A/K/A ARKADY KAIKOV),
AND MOTHER GASTON 905 CORP,

Defendants.

-----X

The Plaintiffs, by their attorneys, Cherny & Podolsky PLLC, as and for her complaint, respectfully allege, upon information and belief as follows:

AS AND FOR THE FIRST CAUSE OF ACTION

1. The Plaintiff, 905 MOTHER GASTON, LLC, is incorporated in a State of New York and doing business in County of Kings.
2. The Defendant, ARIHAY KAIKOV (A/K/A/ ARKADY KAIKOV) is a resident of the County of Suffolk and the State of New York.
3. The Defendant MOTHER GASTON 905, CORP is incorporated in the county of Nassau, State of New York and is doing business in the County of Kings
4. On December 9, 2016, the deed to the property located at 905 Mother Gaston Boulevard, Brooklyn, New York 11212 was transferred to 911 REALTY CORPORATION from ROYAL A&K REALTY GROUP INC., for consideration in the amount of \$50,000.00.

5. ROYAL A&K REALTY GROUP INC is owned by the defendant ARIHAY KAIKOV.

6. The deed was acquired for the purpose of (1) obtaining a short sale, (2) renovating the property, and (3) re-selling the property for a premium.

7. ARKADY KAIKOV, though not a shareholder of 911 REALTY CORPORATION, agreed to stay on as a project manager for compensation in the amount of \$50,000.00, due at the completion of the project.

8. Simultaneously, there was another real estate transaction at a different property located at 406 East 94th Street, Brooklyn, New York 11212, where the plaintiff, KHANAN KAIKOV, was the primary investor, and ARIHAY KAIKOV was the project manager.

9. Toward the end of the transaction, ARIHAY KAIKOV, embezzled or fraudulently stole funds in the amount of over \$650,000.00 from 911 REALTY CORPORATION.

10. When ARIHAY KAIKOV was confronted by the plaintiff in regards to the stolen funds, ARIHAY KAIKOV proceeded to file a fraudulent deed transfer of 905 Mother Gaston Boulevard, Brooklyn, New York 11212.

11. 905 MOTHER GASTON LLC, is the sole fee owner of the property located at 905 Mother Gaston Blvd.

12. Furthermore, 911 REALTY CORPORATION, is solely owned by its only shareholder KHANAN KHAIKOV.

WHEREFORE, the Plaintiff demands a judgment

- 1.) Entering a judgment holding the plaintiff as a sole fee owner of the property located at 905 Mother Gaston Blvd, Brooklyn, Ny Block3868 lot 16
- 2.) entering a judgment against Defendant Arihay Kaikov for a sum not less than \$650,000.00
- 3.) the costs and disbursements of this action, together with such other and further relief as to this Court may deem just and proper.

Dated: Brooklyn, New York
August 10, 2018



CHERNY & PODOLSKY
Attorneys for Plaintiff
1723 East 12th Street, 4th Floor
Brooklyn, NY 11229
(718) 449-5100

TO:

ARIHAY KAIKOV
204 Centre Island
Oyster Bay, NY 11771

Mother Gaston 905 Corp
C/O Secretary of State

**STATE OF NEW YORK COUNTY OF KINGS ss.:
VERIFICATION**

I, 905 Mother Gaston LLC, being duly sworn deposes and says that: I am the Plaintiff in the within action; I have read the foregoing and I know the contents thereof: the contents of the foregoing are is true to my own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.



KHANAN KAIKOV

**Sworn to before me on the 10th day
of August, 2018**



Notary Public

Sandy B. Cruz
Commissioner of Deeds
City of New York; No. 4-6750
Cert. Filed in Kings County
Commission Expires Dec. 1, 2019.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

905 MOTHER GASTON LLC,

Plaintiff,

Index No.:

-against-

ARIHAY KAIKOV (A/K/A/ ARKADY KAIKOV),
AND MOTHER GASTON 905 CORP,
Defendants.

SUMMONS, VERIFIED COMPLAINT AND NOTICE OF PENDENCY

CHERNY & PODOLSKY, PLLC
1723 East 12th Street, 4th Floor
Brooklyn, New York 11229
(718) 449-5100